

# **ACADIA NATIONAL PARK ADVISORY COMMISSION MEETING**

Schoodic Education and Research Center, Winter Harbor

Monday, September 12, 2016 1:00 P.M.

Attendance:

Jacqueline Johnston, Chair  
Ken Cline, Member  
Fred Ehrlenbach, Vice Chair  
Ben Emory, Member  
Carolyn Gothard, Member  
Katherine Heidinger, Member  
Dexter Lee, Member  
Paul Richardson, Member  
Stephen Shea, Member  
Bruce Wiersma, Member  
Ben Worcester, Member  
Kevin Schneider, Superintendent, ANP  
Michael Madell, Deputy Superintendent, ANP  
John Kelly, Management Assistant, ANP  
Stuart West, Chief Ranger, ANP  
Keith Johnston, Chief of Facilities Management, ANP  
David MacDonald, President, Friends of Acadia  
Mark Berry, President/CEO, Schoodic Institute  
Members of the Public  
News Media

## **OPENING REMARKS**

The Commission Chair called the meeting of the Acadia National Park Advisory Commission, being held on Monday, September 12th, 2016, to order. Thank you to everyone for attending the meeting of the Advisory Commission.

Covered housekeeping items,

Please sign in at the front table if you did not when you entered.

When speaking, please stand and state your name and who you represent.

When presenters speak, please state your name and title.

Please speak clearly for the recorder.

Update on Representation for Cranberry Isles: Richard Beale is still listed as representing Cranberry Isles pending a new nomination. Representation for Cranberry Isles on the ANP Advisory Commission has been added to the agenda for the next town meeting on Cranberry Isles.

## **APPROVAL OF THE AGENDA**

No additional items to add. No comments. The Agenda was accepted by Fred Ehrlenbach; seconded by Lee Worcester; all approved.

## **APPROVAL OF THE MINUTES**

We move on to the minutes of June 6, 2016. We distributed a copy of these minutes for everyone to review. Has everyone had an opportunity to review the minutes? All agreed. Is there a motion to adopt the minutes of the February 1<sup>st</sup>, 2016, meeting?

A motion was made by Ben Emory to accept the minutes of the June 6, 2016, ANP Advisory Commission meeting; motion was seconded by Lee Dexter, and unanimously accepted.

## **OLD BUSINESS**

### **Commission Letter to Maine Dept. of Transportation:**

At the last meeting, the Commission approved writing a letter to be sent to the Maine Department of Transportation (MDOT) regarding the Route 3 construction. The letter was sent and we did receive a response from MDOT and, due to the condition of Duck Brook Crossing, they will not have to reconstruct the structure but will slip-line the structure. They did amend the draft agreement with the park based on a discussion they held with the park. I have copies of that letter if anyone is interested.

## **NEW BUSINESS**

### **Process for Election of Commission Officers**

A proposal was made for a change in the by-laws, Article III – Membership, to delete and replace paragraph 4 with the following:

“The officers of the Commission shall be Chairman, Vice Chairman and Secretary. The officers shall be elected annually at the spring meeting by a quorum of the membership. Nomination for officers shall be submitted after the winter meeting but at least thirty days prior to the scheduled spring meeting. Each officer shall be chosen from the membership. The term of each office will be for twelve months or until the elections can be held. No one member shall serve in the same office for more than three consecutive terms. Should any officer not be able to continue to serve a full term, an election shall be held at the next meeting to select a replacement.”

No further discussion was requested. Ben Worcester moved to accept the amendment to the by-laws. It was seconded and unanimously accepted.

### **Commission Committee Assignments:**

There are four important committees under the ANP Advisory Commission. There is a suggested membership; minimum of three and maximum of five, which can be modified as well as the make-up. I welcome any additional requests for assignments.

Members of the committees will be as follows:

- Park Use
  - Katherine Heidinger
  - Ken Smith
  - Jackie Johnston
  - Fred Erhlenbach
  - Matt Horton
  - Lee Dexter
  - Howie Motenko

- Science & Education
  - Carolyn Gothard
  - Bruce Wiersma
  - Stephen Shea
  - Ken Cline (may preclude himself from any topic that he may feel is a conflict of interest)
- History
  - Paul Richardson
  - Carolyn Gothard
  - Stephen Shea
- Land
  - Paul Richardson, Chair
  - Dexter Lee
  - Ben Worcester
  - Ben Emory
  - Ken Cline
  - Ken Smith

With no further discussion required, motion was moved to accept the committees, as listed, by Katherine Heidinger; seconded, and unanimously accepted.

It was moved to let the committees meet and elect their own chair; seconded and unanimously agreed.

By-laws are not clear but with the exception to the general rule on numbers of members and composition on a committee.

A motion was made by Dexter Lee to make an exception to the membership number and composition on the committee; seconded, unanimously agreed.

A quorum is seven and a committee, exceeding a quorum, cannot meet outside the regular meeting date.

### **2017 Commission Meeting Dates & Locations**

Typically meetings are at park headquarters twice and once at Schoodic annually. The concept was introduced for discussion to move one public meeting from park headquarters and hold it out in the community on MDI.

After discussion, it was agreed to leave the meetings at park headquarters and Schoodic Education and Research Center, along with the same number of meetings, for the coming year, unless there is a specific request.

February 6, 2017 – Park Headquarters

June 5, 2017 – Park Headquarters

September 11, 2017 – Schoodic Education & Research Center

The motion on location and dates was moved by Paul Richardson, seconded by Katherine Heidinger and unanimously accepted.

With proper notification, additional meetings can be called. It must be put in the Federal Register and advertised locally.

## SUPERINTENDENT'S REPORT

### Entrance Pass Compliance and Sales Report – Stuart West, Chief Ranger

This year has been busier than years past and park pass sales have reflected it. Our increased up to the end of August was 7.9% over last year. At mid-summer, our electronic park pass sales were up to 16.6% and now it is up to 21% of our sales that have been taken online. Visitation at our campgrounds has increased with occupancy at Schoodic Woods almost up to Blackwoods Campground.

Blackwoods – 83% occupancy rate

Seawall – 81% occupancy rate

Schoodic Woods – 79% occupancy rate in its first operating year

This year, all campgrounds are online for sales and next year, reservations for specific sites can be made for all campgrounds.

The website for park passes:

[www.yourpassnow.com](http://www.yourpassnow.com)

Access through the park's website:

[www.nps.gov/acad](http://www.nps.gov/acad)

The process for enforcement of visitors having a required park pass and hang tag at Schoodic is the same process we have at MDI; only at Schoodic FY16 was the year of education and FY17 will be notification. We have the same grace period to get the public education in the need for to obtain park passes.

Year One - Education (informing visitors of the requirement of park passes)

Year Two - Notification (notification on vehicles that park passes are required)

Year Three - Enforcement

We will influence people as much as possible to purchase park passes. Passes are sold at the Ranger Station and on the first Thursday of December, we will be selling passes for half-price at the Winter Sale in downtown Winter Harbor, as well as at the Gouldsboro and Winter Harbor Town Offices.

We are working with Schoodic Institute on what is expected for people attending lectures or meetings at SERC. Park passes are sold at the Rockefeller Building, as well. Schoodic is a different situation than MDI. We are trying to get the word out.

*(Katherine Heidinger) We all could have done a better public relations job in making the communication lines clearer for the public, the park, and Schoodic Institute. This is unique. It is not parallel to Mount Desert Island section of Acadia. We have growing pains right now and, I think, before the next season the park can really put some effort into clarifying for the Schoodic Peninsular, particularly, what is going to be required, what is permitted, and what is encouraged. There were two specific examples that I would like to address; one was traditional memorial footrace that occurs on the morning of the Lobster Festival. There were some real foe pars there. There was a bicycle benefit race for 'Schoodic Arts for All' where there were some misunderstandings. It hurts if everybody is not on the same page. As a result, we have had some bad publicity in local papers about the uses and about restrictions that have suddenly come to bare.*

We ran into a situation with College of the Atlantic where our fees had increased and the increase was not incorporated into their fees for their planned events. They were educated and notified that park passes would be required the following year. They were encouraged to purchase park passes this past year but not required to.

When a race is ran through park roads, the participants send in a copy of their annual pass (front and back), if they have one, and the amount is deducted from their price for the race. This has been the process for the YMCA sponsored marathons for three years now.

At Schoodic, if the event is going straight to the campus and they are staying at the campus, a pass fee is not required. If the event goes out into the park, they are treated like every other park visitor.

*(Jackie Johnston) I understand there may have been some other misunderstandings, not just with park employees but with volunteers. So I am hoping word is passed to others than just rangers. If we could have something developed by the park that would clearly outline the process, or how it would be implemented, we could disseminate it through our town office newsletters.*

There were no further questions related to park fees.

### **Transportation Plan Update – John Kelly, Management Assistant**

A brief history/update of the process of our Transportation Plan – The Park initiated the transportation plan in January, 2015. We developed a process and planning team through the winter, followed by public meetings and a newsletter. We gathered public input, called public scoping, to gather information and develop ideas and thoughts about what to address in the plan.

The plan is meant to look at congestion, traffic, and parking issues and their impacts on the visitor experience, as well as their safety, as well as park resources and values. That plan is park-wide. We have received hundreds of comments. Through the winter, we developed preliminary concepts and identified desired conditions in specific areas in the park. We have refined those concepts and these are not the same types of alternatives or sets of management acts that will be analyzed in the environmental impact statement; those will come next year. This is an early step to further refine the possibilities on how to deal with issues that we are confronted with on MDI. Isle au Haut is in the picture, as well, but we have different issues there. We are primarily focused on MDI and Schoodic.

The preliminary concepts will go out for public review from October 12<sup>th</sup> to November 26<sup>th</sup>. It is a 45 day review. In that period we are going to hold a public meeting at the Peninsular School and at MDI High School, probably in the first three days of November. There will be two scheduled meetings. A 10 page newsletter will be released (a draft is in your packet) that will have four concepts addressing MDI issues and two concepts addressing Schoodic. The purpose of these concepts is to get public feedback so we can further refine those concepts into draft alternatives, which will be available for public review. We are on schedule right now for the winter of 2017.

A draft will go out and there will be more public input in 2018. Our hope is to finalize the last signature on the approval in the fall of 2018. Take note of this website for the plan below. You can get information about public meetings, get draft documents, review, newsletters, and you can provide comments on any of those things through this electronic system. We will also take those comments at the public meetings. The public is invited to write or call staff anytime for input. The website is the key part of the communications tool. Any questions?

<http://parkplanning.nps.gov/ACADTransportationPlan>

*(Ken Cline) The ANP Advisory Commission will not meet until February. How do these concepts look? Would a concept be like to close the Park Loop Road to the top of Cadillac? Is that a concept?*

A preliminary concept is a set of strategies or actions we could take immediately with the adoption plan or use in the future to address changing conditions. It is a range of actions we could take both immediately or as conditions change.

*(Steven Smith, Member of Public, Otter Creek) Is there any headway being made on our transportation problem issues in Otter Creek?*

Otter Creek would be included as part of the MDI strategies and concepts.

### **Construction Updates – Keith Johnston, Chief of Facilities Management**

There are two major construction projects that are ongoing and started this week. One is the early closure of Seawall Campground, closing one month earlier than normal for putting the new sewage system in place. It is more of a temporary replacement of the sewage system. This will buy us time as we continue to explore alternatives down the road for connection alternatives to town. The system is going into place this month. Blackwood Campground will remain open longer to offset the early closure of Seawall.

The second is Sieur de Mont with a partial closure for the building of a new sewage system and a connection to the Town of Bar Harbor sewer system. Bus access is limited to the road. Construction started this month. Any questions?

### **General Updates – Mike Madell, Deputy Superintendent**

It has been very busy this summer. Visitation was up 18% (plus or minus) and chatting with local community and business, it has been consistent with an increase of about 20%. We have not received our August numbers yet but there is no reason to believe they are not comparable. Labor Day weekend was one of our busiest weekends all year. We closed Cadillac six times, not including for accidents. We have avoided closing Cadillac in the morning for sunrise but it is coming.

*(Ben Emory) Were they any studies to quantify the impact on the visitor experience this year given the increase of visitation?*

We don't do a very good job on the social science. If we were a business, we would have that kind of data on our customers. We do a general visitor satisfaction survey that comes out annually but it doesn't give a lot of information. Anecdotally, I was chatting with a visitor from Minnesota last week when we went out to Bar Island and I asked them how their visit was. They said they were here for Labor Day and they couldn't get around. They rode the bus, which is what we are encouraging people to do, and they were afraid to get off the bus because it was such a long wait there was a mob of people waiting to get on the bus and some had to be left behind. They were afraid to get off the bus. So the folks from Minnesota did not have the greatest of experience and that is unfortunate. And when Cadillac closes down six times in a summer because it is so congested, the traffic is backing up to a point of a half hour queue just to circle the summit of Cadillac. To me that suggest something is broken and we have to fix it. What we want to do is to ensure the park is supplying a really high quality of experience to our visitors. That is what the transportation plan is going to try to figure out. I did a lot of hiking on our trails this summer and found if you get five minutes away from a trailhead, you didn't see a lot of people. I was hiking with a group at the park from Washington, D.C. and we had lunch at Jordan Pond House and took them on a hike and within five minutes of Jordan Pond House, I don't think we saw another person for an hour. They had a great experience. The key was getting a place to park at Jordan Pond House. So trying to work through this in a way that solves the problem, while not creating new problems, and does so in as simple a matter that is not heavy handed as possible, I think is really important. Because our visitation, I believe, will continue to grow. This year was very busy and we were up 18% through July; we haven't gotten the August numbers yet, as Mike said. I am confident we will see the visitation grow. The numbers may not be like this year; we may see the numbers fluctuate up and down. This is the trend and my hope is that it will continue to go up. This is the time to get it right and do it in a way that people continue to enjoy Acadia and get inspired by this place and not have an experience like this couple from Minnesota did.

*(Paul Richardson) When they updated the path from Blackwoods to Otter Creek Bridge, all the signs are up everywhere except for Grover Avenue, which takes them to the bridge and the quarry. No sign has been installed yet to show the location of the path on Grover Avenue. We asked about this in the June meeting.*

Mike Madell checked on the status of the sign for Grover Avenue and reported back that the sign is done and it is scheduled to be installed this week.

### **Clamming and Worming Issue – Kevin Schneider, Superintendent**

One more issue I would like to talk about is the clamming and worming issue. In 2015, a ranger had asked a person who was commercial harvesting clams and worms to dump the materials for the day. The challenge for us is that commercial fishing is prohibited by a service-wide regulation. That incident prompted our staff to start working with our solicitor's office to understand how that regulation plays out here at Acadia National Park and what is involved with us in terms of the jurisdiction and those types of questions. That led us to work this past winter with our solicitor's office and the Department of Marine Resources at the state to understand the application of those rules to Acadia. As you can imagine, those are a very complicated set of laws and regulations that we are trying to navigate through. The issue has got some attention in the last few months. We are trying to work through it. At this point, we are not enforcing those regulations in Acadia. We are trying to work through it with the state. One of the challenges for us, our service-wide regulations says that commercial fishing is prohibited and can only be authorized by an act of congress. That makes it more difficult for us at the local level to work through. But, again, we are still trying to review what it says and work through it with the solicitor's office and with the state. We have had several meetings with DMR; we have met with individuals who represent the clamming and worming industries trying to understand their concerns and the history of those activities. Obviously they have been occurring for quite some time here and for as long as there have been humans at Acadia. So really we are just trying to take the foot off the gas on this and trying to understand what all the implications and dynamics of this issue are. Again, those regulations are not being enforced while we work through these questions. Any questions?

*(Ben Emory) Is the legal argument that it is legal to harvest in the intertidal zone based on the Colonial Ordinance? And can an act of congress override the Colonial Ordinances?*

The question is what is the park's jurisdiction in the intertidal area? How does that interplay with the Colonial Ordinance? And then, if the park does have jurisdiction in the intertidal area, that an act of congress may be required, and I am not certain. That is part of what we need to work through to authorize commercial fishing. Is there an administrative process, like a rule making process that the park could do to permit it? Those are some of the questions that we are trying to get answers on. None of this stuff happens really, really quickly, as you can imagine so. Those are the kinds of things we are trying to address.

*(Ben Worcester) Why did this even come about? Why after clamming for one hundred years, a Ranger goes out and says you have to dump your stuff on the shore. Why did that happen? Rather than jumping forward and saying we have to resolve this issue that may, or may not, even exist. Then if it is in the interest of the park service and you do have jurisdiction in the intertidal zone, then you regulate it, or if no, then you don't. It seems this whole thing is "lousy press in a really good press year".*

I appreciate the question. I do not know what led to the specific case, which was over here at Schoodic. It has all occurred at Schoodic. There was one citation out of three incidents and that one citation was because that person was over the recreational limit. But going back and looking at those case reports, it doesn't say they were commercial fishermen. Although I think that he may have been. I can't really speak for what happened at that time. I think it is unfortunate timing. It is not from a natural resource stand point. We do not have any information that suggests it would be a problem. It from a natural resource

protection stand-point where we need to understand more - understand what the science might look like. But we don't have a good answer for you.

*(Bruce Weirisma) So up to that time, the park had no problem with people clamming?*

The question of jurisdiction has been in our solicitor's office for six years probably and they are getting to it now.

Some parcels of land are described as ownership to the mean high tide and some parcels are described as owning to low tide within Acadia.

*(Joe Carter, Member of the Public) My understanding is Acadia owns the park. The state owns the water. Outside the three miles, the water is owned by the Federal Government. How can the federal Government control the state water? The water comes in and goes out. Just because the water is out, does not give Acadia the right to control that area. Acadia's jurisdiction is at the high water mark. And what is the problem if someone gets some clams? Who authorized the park service six years ago to take over the mud flats when the State of Maine owns it? The state owns the salt water; the park owns the land. If a deed states ownership to the low water mark, then that deed only applies to that particular area and you can enforce that. There probably are sections you can stop clamming. But you can't enforce it when the deed states differently. You can't add it. How do these decisions get made?*

(Jackie Johnston) I understand and please direct your questions to the Commission Chair.

*(Ben Emory) I think it would behoove this commission to stay on top of what is coming out of the Solicitor's office. We have Maine with the Colonial Ordinances where some is low tide and some high. Maine is a very unique situation that is not a fit with National Park Service's national regulations. The Solicitor's Office probably has quite a challenge going through this. We see a situation last year where the Solicitor's Office kind of got off in left field and the Commission wasn't well briefed until almost too late. I think, perhaps, that we could request that we be kept informed as things come through from the solicitor's office.*

*(Katherine Heidinger) I thank you sincerely for looking into the matter of traditional uses of this area historically. Regardless of what the Solicitor says; I appreciate your sensitivity to that, as well as what the public does. On another matter, I think Ben's suggestion that we are kept apprised of the process through the Solicitor should be in the form of a motion. I think the Commission does need that.*

A motion was moved by Ben Emory that we request the park keep the ANP Advisory Commission informed of information coming through from the solicitor's office in regards to the intertidal zone issue. Seconded by Katherine Heidinger; unanimously accepted.

*(Billy Bob Faulkingham, Member of Public, Winter Harbor) – People are coming to the ferry at the terminal to go to Winter Harbor and the bus takes them for an hour-long ride around the park and then to Winter Harbor. Also, it has been one year since the clamming issue and why hasn't anyone gone to the ranger and asked him why he did it?*

The Island Explorer started at Schoodic earlier than anywhere else, on May 25<sup>th</sup>. On June 23<sup>rd</sup>, we went from hourly service to a half-hour service, which ran until the end of August, and that was with the purchase of two buses. The bus does do the Schoodic loop but every time it leaves the ferry on Sargent Point, it goes into town, does the loop and goes back to town before going back to the Marina. So it hits the town twice during the route and in every half hour. So we have done what we can to improve that service.

The ranger was doing what he thought was right. It precipitated this larger questions and discussion that we have been engaged in. But he was doing what he thought was right.



*(Ken Cline) I understand the complexity of the legal questions here. The whole point of national parks is not to have commercial use. That is why we create National Parks. But this has both traditions and obscure and poorly articulated legal doctrine as can happen. What can also help to figure this out is to get some factual background, too. I understand there are questions about illegal parking and questions about access. It would be really helpful to have that from the park, as well. I think there is a legal question that if allowing clamming and worming and seaweed harvesting could mean you could have people parked all along the road, that is going to have management and safety issues. It's could to know that. Again, I don't know what anyone's motivation was but I can understand why there would be complexities in terms of management. So having the factual, as well as the legal, would be helpful.*

## **COMMITTEE REPORTS**

### **Park Use**

No Report

### **Science & Education**

No Report

### **History**

No Report

### **Land**

No Report

## **SCHOODIC INSTITUTE UPDATE – Mark Berry, Executive Director**

Since the last time we reported to the commission, we have adjusted our mission statement and reframed it. The mission of Schoodic Institute is now “to advance ecosystem science and learning for all ages in partnership with Acadia National Park.” That is fairly consistent with prior work and direction of the institute. It is a little more concise and clearer. We have seen significant increase in activity in our own programs and events we host here on campus. January thru July, the number of participants in programs on campus has increased by close to 50%. Given the overall increase the park is seeing, this is based on development and programs here. We have two new directors on our board. Ken Cline and Cody van Heerden, are both serving on the Schoodic Institute Board. Katherine Heidinger continues to serve on the Schoodic Institute Board, as well.

A new partnership was formed, Second Century Stewardship. It is a partnership between Schoodic Institute, Acadia National Park, and American Association for the Advancement of Science (AAAS). The partnership was announced on June 26<sup>th</sup>, 2016, Park Science Day.

It will involve integrating several core concepts:

- Advancing Science for the Park
- Building on Science Education Activities
- Increasing Science Communication and
- Pursuing Solution by Addressing Critical Issues

The key point is that we are integrating those different threads and that we are bringing in a national partner to the relationship. The core of the science component will be a research fellowship program. The first of our fellowships was already awarded and announced on July 15<sup>th</sup>. Dr. Abby Paulson, University of Colorado, will be doing a project using Environmental DNA to better understand biodiversity within the park and already has done field work this summer collecting samples from fresh water systems throughout Acadia and on Isle au Haut in both ponds and streams. The technology now allows her to take a water sample (a cup of water) and assess what could be a thousand species whose DNA could be

represented in the sample. This could be a dynamic expansion of new technology. This is a nice fit to highlight the potential of this new partnership and her work will continue into the following year with collecting both soil and intertidal samples. We will be learning a lot over the next couple of years.

Within the next two weeks, we will put out a request for proposals to take applications for three fellowships that will be awarded next year. We will continue that over the next three years with three new awards per year. We are excited about this and will continue to work with the park on it look forward to having AAAS as a partner.

Last thing, today when this meeting concludes, we will be holding a public presentation in the auditorium across the hall, scheduled for 3:30. Three public health experts from Maine that will be presenting on environmental health risks; mosquito and tick-borne illness, lyme and other tick-carrying diseases, the rabies virus, and marine toxins.

Any questions?

### **FRIENDS of ACADIA UPDATE – David MacDonald, President & CEO**

We all know how much visitation is up. That puts a lot of demand on the resources, Kevin's staff, and infrastructure. Acadia is trying to reconcile that increased use with fee revenue. I know there are pains of transition over here at Schoodic. That fee revenue is so important to our park. I want to commend Stuart, Michelle Bierman, and the team for the online park-pass sales. We are one of five parks who are piloting that program nation-wide. The percentage of passes sold online for the other parks are like 3-4%. The fact is that this has gone online so quickly. I didn't believe you when you told me it was going to launch in February. I know that Senator King and others in the delegation had a lot to do with it. This is the future. On MDI five or ten years ago, people were asking why they need to buy a park pass. Businesses were struggling with it. Now there is a lot of support. Now they are asking where do I get it? How do I get it? In this case, the park has adapted and they are leading the nation in this. I give a lot of credit to you guys and let's try to bring that same approach to Schoodic. I am not saying we will solve it all by doing it online but be adaptive, looking forward. We cannot leave that money on the table. I hate to put it that way but, funding for the park going forward and all the impacts that these increases in visitation are going to have is going to need strong support from Congress and appropriations is really important. Our tax dollars need to come to our national parks and everyone showing us they love our national parks. We need that appropriations; we need that fee revenue; and we need the private donations that come in through groups like Friends of Acadia or Schoodic Institute or others who supplement, not take the place of but supplement, what is going on. This year is a great opportunity to get that right. The upside of this is donations are up at Friends of Acadia. Volunteerism is up. The number of school groups coming to the park is up. Good goes with the bad. We are not the only group. A lot of non-profits and businesses in the community want to work with the park to get this balance right. The centennial is a fantastic opportunity. We have heard from Jack Russell and Cookie Horner talk about the Centennial. We have over 450 partners in the community who have signed on who want to be a part of this and help out. We hope this is not a one-time occurrence. We hope these businesses and partners stay in connection with the park long term to help meet some of these challenges, such as visitation.

Some of the grants we have been involved in are for the congestion on Cadillac; for instance, we have been doing some modeling. We also grant money to the park each year for the Cadillac Summit Steward's Program. This is a program where we got online very quickly because we knew there would be a need. Now we have interns/seasonals up there through the fall that are a steady presence up there helping the visitor, helping the park staff to know when things are reaching a boiling point. Between some of the modeling we are doing to help with visitation on Cadillac, an interpretive presence up there with the Stewards, I'm frustrated that we will not have the Transportation Plan done until the fall of 2018. It seems so slow. But I want to encourage everyone to get involved and try to help find solutions. Some of the grants we are funding now are trying to do that. Another grant is LLBean, who re-upped their support for the Island Explorer bus system. They made another million dollar commitment back in July, which is

fantastic. It's challenging because we know the Island Explorer is at capacity like the other infrastructure in the park. You have probably read in the press where the Island Explorer cannot hire enough drivers. We were prepared to bring supplemental buses to the bus this year to address this issue but recruiting drivers to staff that increased schedule proved to be the limit. Once we thought about it, it led to a seasonal housing issue. There are a lot of things in play going on right now. So, in a meeting like this, when people ask a question, it is hard for Kevin to say here is the answer. These are some long term issues and Friends of Acadia is very committed to the long-term in terms of partnering both on some of the piloting work that is happening right now and some of the long-term investments that we know we have to make.

Some upcoming events are the Acadia Night Sky Festival, September 22-25<sup>th</sup>; Clean Water, Clean Shores Event here at Schoodic, September 17-18; Car-Free Morning on MDI, September 17<sup>th</sup>, private vehicles will not be allowed on most parts of the road until noon. Island Explorer, Oli's Trolley and National Park Tours will operate their normal schedules so there will be vehicles on the road but no private cars. Park entrance fees are waived for the entire event until noon.

Not all these folks are here for the centennial. We have a long-term challenge to manage. We also here from donors, they do not want their donations taking Congress off the hook or decrease fee revenues. We have a challenge. They are challenging us to maximize the dollars. We need to keep a balance in place. We encourage new solutions to be brought to Schoodic. The new campground has come online quickly. But on MDI, there is a whole host of even greater challenges with fee revenue with several entrances to the park, and technology plays a key role in that. We encourage the park to stay open minded about it. Any questions?

## **PUBLIC COMMENT**

(Chris Rector, Regional Representative for Senator King) I have an update on the introduction of the legislation to define the boundary in July. It was passed unanimously on the committee. What Congress decided to do between now and the end of the year is anybody's guess. It's problematic. But we are hopeful that this will be passed. It is a piece of legislation that both defines the boundary and congressionally accepts the boundary at Schoodic Peninsula. It also dealt with the Tremont school issue and made permanent the commission you are all sitting on. It took those three actions. I recognize there are a host of other issues people have in mind related to the park and those are still being explored in a variety of ways. In as much as they need Congressional action over time, we are going to be prepared. The Senator sits on the Appropriations Committee and we are going to be prepared to take action. This bill was co-sponsored by Senator Collins and did pass on the committee unanimously.

Also wanted to mention, the online success is terrific. Back when Senator King met with Kevin's predecessor, talked about that. David was at the meeting and he asked why we weren't selling passes online and I am happy to go back and report to him that we are number one here at Acadia National Park. I agree. It is the trend of the future.

As far as the commercial harvest issue, first let me commend Kevin Schneider, Superintendent, for being responsive to people. I think he has done a terrific job. The lines of communication are open to us. I use to serve in legislature on the Marine Resources Division and I have been in touch with them and I know he has done a good job working with them on trying to work through this issue. I know we are on a holding pattern until the Solicitor's office makes whatever decision they are going to. From the Congressional side, we are prepared to take action to be able to make sure, in as much as possible, for maintaining traditional use. We are highly cognizant of what is going on and we will work with the park service in whatever way we can to do this as cooperatively and collaboratively, as possible. I can speak for Senator King and say that he is absolutely aware of the issue and wants to make sure we get it addressed.

*(Fred Erhlenbach) Do you know where it stands in the House? The House will introduce it slightly different.*

Sorry by no, I don't. I was hoping Mark Contio from Congressman Poliquin's office would be here. I knew Carol Woodcock could not be here.

(Andrea DeFrancesco, A member of the Public) I am a local resident and business owner. I am also an edible seaweed harvester so I have been impacted by the intertidal debate, although I don't harvest in the intertidal. I harvest in the sub-tidal. But I want to address the issue of requiring payment to come into the park. The park is doing a tremendous job getting fee revenue from people coming in from out-of-state and from people coming here for vacation. The local people have used this area forever. And now to be told they need to pay a fee to use an area they have always used. This park is integrated in the surrounding community. The impact of the park has affected the people of the communities – some good and some bad. Public goodwill between the park and community is more important than getting a fee from them. There have been so many changes in such a short time and now this inter-tidal thing is happening. This is a small area with a lot of changes. This is such a special place. There are a lot of older people on fixed incomes who can afford to pay a fee. There must be some way of exempting Washington and Hancock residents of the fee. Public opinion so outweighs the fees you will get from Hancock and Washington counties.

(Billy Bob Faulkingham, Member of the Public, Winter Harbor) I am Selectman of Winter Harbor but I am here as a representative of myself and my constituents. I have a list of grievances:

1. Moore Road, known as the Loop Road. This is a town road and the park recognizes it as the town road. It is our access to Lower Harbor and as such, we should have adequate parking along the road. We have a 49' right of way. There has been an issue with tickets and parking along that road and access.
2. Fees - \$25.00 to access national public land. We were told it would not be enforced. It has been enforced, as well as our Lobster Festival where people were turned away at Fraser Bridge for wanting to watch the boat races. It is not unprecedented for traffic to pass through the park and not pay a fee and this road should be no different. For 83 years this road has been used by the public and no fee was collected. People who work at SECR, visit SERC, fishermen who check out the water and many residents, and non-residents, who just want to ride the loop. These people don't want to hike, bike, or access the park. They just want to use the road. I do not consider \$25.00 a nominal fee.
3. Tree Growth Penalty - The park only paid the penalty on a small 100 acre portion, where the campground is located. The park was awarded the entire piece of property and needs to pay the penalty on the other 1400 acres.
4. Intertidal Zone – The park owns to the high water mark and no further. But, if it does own to the low tidal zone, then they need to acknowledge citizens have a right to fish, fowl and navigate in the intertidal zone. This should not be treated as a permission issue where the park permits people to clam, worm or whatever. This should be a jurisdiction issue where the park recognizes it does not have that jurisdiction.
5. Norris Island – Ownership of Norris Island predates the park. They should have the space to park so they can access the Island. Stop writing parking tickets to these people.
6. Signage – The town has a sign ordinance and the park should adhere to that. When the park wants to put up signs on our roadway, not their roadway, they should adhere to the ordinance and apply for the necessary permits. I ask the park to please take down the no parking signs on our roadway. What you do on your roadway is at your own discretion.
7. Public Law 99-420 – September 25<sup>th</sup>, 1986, the law that prohibits expansion of Acadia national park and created this commission; in regards to section 5, the town was never notified of this deed transfer. The first time I learned the deed was given to the park, was when you (?) and another woman came to inquire about us giving the road to you. Other than today, I still don't know if we have been notified of that transfer. It was in violation of the law, which has been acknowledged by Senator King because he introduced a bill to go along behind them and say it was alright. My question to that is if every time the law is violated,

can they just go behind it and introduce another bill? What is the sense to have the law in the first place.

(Steven Smith, Member of the Public, Otter Creek) Winter Harbor hasn't seen anything yet. We are completely surrounded. We are under siege at Otter Creek. Talk about lousy press. They are all biased. They won't print anything. I protested over at the Jordon Pond Centennial. Why weren't there any natives there? There were maybe 3 or 4 of us at that whole big party. Why? Because, they feel they can't do anything about anything. But the media, not just the Islander, was there...NBC, ABC, Fox News, Bangor Daily, everybody, but nobody even covered the fact that I was there protesting stuff we need to address.

The park is our guest here and they have to recognize, and respect, our traditional uses. Otherwise leave. They can leave as far as I am concerned is they cannot respect our wishes and our rights here, our traditional rights. So far we haven't gotten very far. I am here representing myself and as a revitalization committee member. Paul is from Otter Creek. I would like to see you address the selectman, prior to and after these meetings, and bring copy of the minutes of the meeting so we can all look them over and determine if there is anything that we need to bring up here.

And any headway be made about the road kill issue which was brought up to the League of Towns, the park, the Commission ...has anything been done about addressing our road kill so we can keep track of it and know is there are any diseases and how many animals we kill? Somebody has got to address that sometime. The Revitalization Committee is asking the commission to advise the secretary to address our concerns about the following:

1. Fresh water to the fisherman's landing area for safety and sanitary reasons
2. Deed to the town for turn-around space at the town landing at the head of Otter Creek.
3. Proper access to leave the area of Fisherman's Landing. We should be able to use the access to Blackwoods Campground.
4. Remove the stones blocking the parking lots of Grover Avenue.
5. Replace the culvert on Grover Avenue and repair damage on the west side of the road. I had agreement from Federal Court that I get permission when I want to use that road to get to my fish house. This is another fish house that you might not be familiar with. The park doesn't think I own it but I have paid taxes on it for 37 years. We made the agreement in federal court and the park went down there and dug up half the road and took out the culvert just to be spiteful.
6. Vista clearing at the head of the creek at the bottom of Grover Avenue.
7. Clean up the inner creek which includes more flushing. We have a dead area up there. It used to be a pristine area and now we blocked it off and made a big cesspool there. It needs to be cleaned up. We got to clean up out mess.

(Marty Elliott, Member of the Public, Prospect Harbor) Thank you to each of you for serving your time. These people bitch but they don't do anything about it. I am probably one of them. Who has the authority to approve my suggestion? Who make the final authority of approval? West Pond Cove is about two miles from the entrance to Fraser Point. My complaint is they put boulders across the entrance to a wonderful kayak place. I have been kayaking there for years. It is a tremendous place for older people. It is an easy carrying in to put in your kayak, it is an easy out. I would like them to remove them to remove the boulders so I can kayak. It is also a wonderful place for children to learn to kayak because it is very safe water and it is good for elders. You have to have access to the park. I feel I am being denied access and I feel that one portion is what I would like to have. Everyone feels like the park is taking this over and placing boundaries on everything. It seems negative to me. It's like a customer service type of issue. I would like to hear what you are going to do to make my idea work? Don't tell me why it won't work. Thank you.

(Jackie Johnston) We work in an advisory capacity. We represent the citizens. We listen. If there is something within our purview, we hold any discussion of we feel necessary; if we feel it is something we

should advise the superintendent on, then we make a motion and vote; and then take our recommendations to the park service. But, again, we are strictly in an advisory capacity.

(Billy Bob Faulkingham, Member of the Public, Winter Harbor) Ever since I first had a driver's license, we would take a canoe down there and canoe on the pond; maybe even canoe over to the other side and dig some clams. Boulders went across it. A couple little loops along the park road have been block off with rocks.

(Marty Elliott, Member of the Public, Prospect Harbor) Why were the boulder placed at those locations?

(Kevin Schneider) I am the Superintendent of the park and I am ultimately responsible. I do not know about those particular locations without researching the history of it. I have a phenomenal team that helps me run this place and serves three million visitors a year. I think the challenge is when we have three million people come see us ever year, is trying to deal with the impacts of that visitation, as David MacDonald and others have suggested. I don't know those particular locations but we will certainly take a look at it. In general, we are trying to curtail people from parking alongside the road throughout the entire park. We don't want Schoodic Peninsular to become like, what we have on MDI, where we have off road parking along huge stretches of roads. There is a balance between providing access for people like you are describing to get into the park and enjoy themselves. I have written them down and will research them.

(John Kelly) It is where the water line crosses and they made an ad hoc boat launch.

(Ben Emory) As some of these changes hover over Winter Harbor, and Gouldsboro, my sense is the commission was not as involved, engaged or completely briefed about issues as much as it should have been. But listening to this, this is a very different situation than Mount Desert Island faces right now. First of all, there is a whole lot of changes that have just come into play here. This is a small community and there are a lot of areas you might want to launch a kayak. A very large percentage of this shorefront is now park. I don't know what the answers to these issues are but I could be some of the most serious stuff to come before the commission in the whole history of the commission since 1986 and it may behoove us, that we may really want to pay attention to this, work with the park, and give what advice we think is appropriate. It also makes me wonder if perhaps we should not wait a year until meeting over here again. I don't know what all the answers are but I think there is serious enough stuff here where we are seeing a small community going through a lot of rapid changes. And if we have any reason to exist, and apparently Congress thinks we do cause they are trying to make us permanent, then I think we should buckle down and pay attention to this.

(Jackie Johnston) If it means having an extra scheduled meeting before the next one, then that is what we should do.

(Billy Bob Faulkingham, Member of the Public, Winter Harbor) If the National Park Service is over a billion dollars in debt, then why would they acquire more land for more national parks? When you can afford to keep what you have got. When is this going to stop and who is going to tell you guys you have to stop? You take this land out of commercial use and it just applies more pressure to other land. If you can't afford to keep what you have, why are you acquiring more parks? I would be ashamed to be sitting there, knowing that I am in debt. You keep adding land and creating national parks and you can't afford to maintain what you already have. So why add more land and why obtain more parks?

The Chair closed the public comments.

## **CLOSING REMARKS**

The Park Use Committee will discuss these issues at a scheduled meeting, prior to the regularly scheduled ANP Commission Meeting on February 6, 2016. The meeting will be open to the public, well publicized, with the intent to listen to public comment and report to the February meeting. The evening meeting is

tentatively scheduled in November, date to be determined, and will be held at Schoodic Education & Research Center. The Public will be notified.

Motion was made by Katherine Heidinger, seconded by Ben Emery; unanimously approved.

The Commission Chair made closing comments.

Please remember to send any suggestions for agenda items for the February meeting to Jackie Johnston.

## **ADJOURNMENT**

Motion to adjourn was made to adjourn and seconded. The meeting adjourned at 3:17 pm.

The next meeting is scheduled for Monday, February 6<sup>th</sup>, 2017, 1:00 P.M. at Park headquarters, McFarland Hill Drive, Bar Harbor, as published in the FEDERAL REGISTER.

Minutes Transcribed and Respectfully Submitted by Kathy Flanders